

# Exhibit 25

## Layne Hilton

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**From:** Layne Hilton  
**Sent:** Monday, November 04, 2019 6:04 PM  
**To:** 'Poletto, Janet L.'  
**Cc:** Blanton, Robert E.; 'Megan E. Grossman'  
**Subject:** RE: 2019.11.04 Valsartan MDL - Hetero USA Confidential Docs - Protective Order

Hi Janet:

Plaintiffs do not agree that further redaction of the word Olmesartan (on a page that is already fully redacted of any and all information whatsoever) is appropriate. The fact that Hetero Labs manufactures Olmesartan is publicly known and not a confidential business trade secret. The fact that Hetero would be corresponding with the FDA regarding Olmesartan along with its Valsartan product is likewise not a confidential business trade secret. Many other Defendants actually had no confidentiality designation at all on some of their correspondence with the FDA.

Nevertheless, because we do not have agreement, Plaintiffs will instead attach this correspondence to its filing, and refer to the document only by bates number in the body of the brief. Hopefully after filing and after seeing the purpose for which Plaintiffs cited the document (which, as I stated previously, goes to a larger macro issue across the litigation and has nothing to do with Hetero USA or Labs with any specificity), the parties can come to an agreement as to redactions.

Thanks,

Layne

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**From:** Poletto, Janet L. <JPoletto@hkmpp.com>  
**Sent:** Monday, November 04, 2019 4:11 PM  
**To:** Layne Hilton <l.hilton@kanner-law.com>  
**Cc:** Blanton, Robert E. <RBlanton@hkmpp.com>; 'Megan E. Grossman' <Megan.Grossman@lewisbrisbois.com>  
**Subject:** 2019.11.04 Valsartan MDL - Hetero USA Confidential Docs - Protective Order

Layne,

While the Protective Order may not speak to whether you are required "to further broadcast or preview evolving litigation strategy," the overall tenor of the scheme put in place by Judges Kugler and Schneider in this MDL is one that encourages cooperation and directs meet and confer conferences and efforts to attempt to work out issues. I must say I am surprised by your refusal to do so.

With no hint as to the purpose for which you intend to use the cited document, it is impossible for me to determine if there is a way to "work out" whatever issue you are trying to address. It is very possible that we might be able to clarify something for you relating to the document or the author of the document. Wouldn't you rather be aware of an explanation before making some point in a submission to the court that might be incorrect?

I am available to talk tomorrow morning should you change your position and decide it is prudent to meet and confer.

That said; I do not take issue with the manner in which you have redacted and presented the documents. I do note that there is reference to Olmesartan on certain of the pages that was inadvertently NOT redacted on our end that should have been redacted as involving drugs other than valsartan. To the extent you decide to continue to refuse to confer on this; we will not object to the use of the document (but will likely let the court know about our overtures to confer). We would, however, appreciate the redaction of the references to Olmesartan.

Regards,

*Janet*



**JANET L. POLETTTO, ESQ.**

**HARDIN KUNDLA M KEON & POLETTTO**

673 Morris Avenue|Springfield|New Jersey|07081

**Direct:** 973-315-2217 | **Main:** 973-912-5222 | **Fax:** 973-912-9212

[jpoletto@hkmpp.com](mailto:jpoletto@hkmpp.com) | [www.hkmpp.com](http://www.hkmpp.com)

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**From:** Layne Hilton [<mailto:l.hilton@kanner-law.com>]

**Sent:** Monday, November 04, 2019 4:23 PM

**To:** Poletto, Janet L.

**Cc:** Blanton, Robert E.; 'Megan E. Grossman'

**Subject:** RE: 2019.11.01 Valsartan MDL - Hetero USA Confidential Docs - Protective Order

Hi Janet:

Just following up on the below. Do we have Defendant Hetero USA's consent to attach the proposed document which has had all arguably confidential information redacted (although I'll note I believe I was overinclusive) to our public filing tomorrow regarding macro discovery issues? Pages 6 through 18 were redacted by Hetero USA.

Thanks,

Layne

**From:** Layne Hilton  
**Sent:** Friday, November 01, 2019 3:10 PM  
**To:** 'Poletto, Janet L.' <[JPoletto@hkmpp.com](mailto:JPoletto@hkmpp.com)>  
**Cc:** Blanton, Robert E. <[RBlanton@hkmpp.com](mailto:RBlanton@hkmpp.com)>; Megan E. Grossman <[Megan.Grossman@lewisbrisbois.com](mailto:Megan.Grossman@lewisbrisbois.com)>  
**Subject:** RE: 2019.11.01 Valsartan MDL - Hetero USA Confidential Docs - Protective Order

Janet --

As stated in my initial email, my intended purpose in using the proposed redacted and excerpted document (which I attach as one PDF for ease of reference) is to append it as an exhibit to a public filing due to the Court next week, regarding the issues delineated in D.E. 280. I attach that order for you to review at your convenience.

The Protective Order (also attached) does not require me to further broadcast or preview evolving litigation strategy. Rather, it requires me to work with you to create a non-confidential version of a document which has been designated confidential (in this case, an email with 19 attachments) that can be appended to a public filing without need of sealing. With this document, I've done both redact (any confidential information -- and I've further redacted the contact information for the FDA employee) and excerpt (I excerpted many of the attachments), and I believe the end result is a non-confidential document. I will again note that 12 of the pages of the attached have had their contents entirely redacted by Hetero USA, so the propriety of the confidentiality designation as to those 12 page is, at a minimum, questionable.

Nevertheless, I do believe I have created a non-confidential document which does not disclose any information that would be deemed confidential under the terms of the PO. If you disagree, please articulate what part of the resulting document is confidential, and on what specific basis.

Best,

Layne

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**From:** Poletto, Janet L. <[JPoletto@hkmpp.com](mailto:JPoletto@hkmpp.com)>  
**Sent:** Friday, November 01, 2019 2:28 PM  
**To:** Layne Hilton <[l.hilton@kanner-law.com](mailto:l.hilton@kanner-law.com)>  
**Cc:** Blanton, Robert E. <[RBlanton@hkmpp.com](mailto:RBlanton@hkmpp.com)>; Megan E. Grossman <[Megan.Grossman@lewisbrisbois.com](mailto:Megan.Grossman@lewisbrisbois.com)>  
**Subject:** 2019.11.01 Valsartan MDL - Hetero USA Confidential Docs - Protective Order

Layne,

I cannot consent without knowing the purpose for which you want to use these documents. Please advise.

*Janet*



**JANET L. POLETTO, ESQ.**  
**HARDIN KUNDLA M KEON & POLETTO**

673 Morris Avenue|Springfield|New Jersey|07081

**Direct:** 973-315-2217 | **Main:** 973-912-5222 | **Fax:** 973-912-9212

[ipoletto@hkmpp.com](mailto:ipoletto@hkmpp.com) | [www.hkmpp.com](http://www.hkmpp.com)

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**From:** Layne Hilton [<mailto:l.hilton@kanner-law.com>]  
**Sent:** Friday, November 01, 2019 2:55 PM  
**To:** Poletto, Janet L.  
**Cc:** Blanton, Robert E.; Megan E. Grossman  
**Subject:** RE: 2019.10.31 Valsartan MDL - Hetero USA Confidential Docs - Protective Order

Janet:

I spoke with Megan, and we will no longer be using those documents produced by Hetero USA related to Camber.

However, I do write to ask you if I have Hetero USA's consent to attach these two documents to a public filing. I believe I redacted all the personal information from -977, and I will note that two of the documents, (-085, -128) are redacted in its entirety already, but appears to continue to have confidentiality designations, but given that they are fully redacted there should be no issue.

Nevertheless – do I have Hetero USA's consent to append these documents to a public filing?

Thanks,

Layne

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**From:** Poletto, Janet L. <[JPoletto@hkmpp.com](mailto:JPoletto@hkmpp.com)>  
**Sent:** Thursday, October 31, 2019 12:35 PM  
**To:** Layne Hilton <[l.hilton@kanner-law.com](mailto:l.hilton@kanner-law.com)>  
**Cc:** Blanton, Robert E. <[RBlanton@hkmpp.com](mailto:RBlanton@hkmpp.com)>; Megan E. Grossman <[Megan.Grossman@lewisbrisbois.com](mailto:Megan.Grossman@lewisbrisbois.com)>  
**Subject:** 2019.10.31 Valsartan MDL - Hetero USA Confidential Docs - Protective Order  
**Importance:** High

Layne,

In the future, please include me on all communications respecting this matter.

As you can see I have copied Camber counsel, Megan Grossman, on this response so she is aware of your inquiries which relate to Camber documents.

I will reach out to Megan and we will get back to you.

Regards,

*Janet L. Poletto*



**JANET L. POLETTO, ESQ.**

**HARDIN KUNDLA M KEON & POLETTO**

673 Morris Avenue|Springfield|New Jersey|07081

**Direct:** 973-315-2217 | **Main:** 973-912-5222 | **Fax:** 973-912-9212

[ipoletto@hkmpp.com](mailto:ipoletto@hkmpp.com) | [www.hkmpp.com](http://www.hkmpp.com)

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**From:** Layne Hilton [<mailto:l.hilton@kanner-law.com>]  
**Sent:** Wednesday, October 30, 2019 6:46 PM  
**To:** Blanton, Robert E.  
**Subject:** Hetero USA Confidential Docs - Protective Order

Bob:

Pursuant to the Protective Order in this case, the Court orders the Parties to work together to create non-confidential, redacted or excerpted pages of materials containing protected information to attach to public court filings to avoid, if at all possible, filing documents under seal. See D.E. 132 at para 31.

To that end, and in anticipation of future filings next week, I am writing to see if Hetero USA will consent to Plaintiffs attaching redacted versions of: HETERO\_USA000028063, HETERO\_USA000028119, and HETERO\_USA000028263. I've attached proposed redacted versions of the documents hereto. I redacted all identifying information and/or emails, and/or content. As such, my expectation is that there will be no issue with this, as the resulting documents do not identify trade secrets or the like.

Does Hetero USA consent to Plaintiffs filing the attached redacted documents without need for sealing?

Best,

Layne

Layne Hilton

Kanner & Whiteley, L.L.C.  
701 Camp Street  
New Orleans, LA 70130  
(504) 524-5777 voice  
(504) 524-5763 fax  
[www.kanner-law.com](http://www.kanner-law.com)

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